

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JOHN ADAMS, et al.,

Plaintiffs,

vs.

PAUL SPEERS, et al.,

Defendants.

CASE NO. CV F 02-5741 LJO DLB

**ORDER ON PLAINTIFFS' MOTIONS IN
LIMINE**

(Docs. 174-181.)

This Court has considered plaintiffs John Adams and Cathy Adams' motions in limine on the record and VACATES the June 13, 2009 hearing. This Court issues the following rulings on plaintiffs' motions in limine.

1. Plaintiffs' Motion In Limine To Admit Evidence Of Defendant's Prior Act (Doc. 174): This Court DENIES the motion in limine as seeking to introduce irrelevant evidence. This Court further DENIES the motion under F.R.Evid. 403 given danger of confusion of issues.

2. Plaintiffs' Motion In Limine To Exclude Evidence From Trial (Spoliation) (Doc. 175): This Court DENIES without prejudice the motion in limine subject to a request (depending on the evidence) for a "stronger evidence" instruction to the jury.

3. Plaintiffs' Motion In Limine To Limit Cross-Examination of Plaintiffs' Police Practices Expert On Extraneous Matters (Doc. 176): This Court GRANTS the motion in limine in the absence of opposition.

5. Plaintiffs’ Motion In Limine To Preclude Mention Of Defendant’s Indemnification And Representation (Doc. 178): This Court GRANTS the motion in limine in the absence of opposition.

7. Plaintiffs' Motion In Limine To Exclude Non-Prosecution Of Defendant (Doc. 180):
This Court GRANTS the motion in limine in the absence of opposition.

IT IS SO ORDERED.

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE